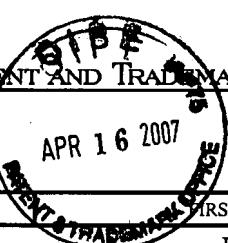


UNITED STATES PATENT AND TRADEMARK OFFICE



APR 14 2007

APR 16 2007

U.S. APPLICATION NUMBER NO.

10/570,047

FIRST NAMED APPLICANT

Rolf Jessberger

ATTY. DOCKET NO.

2963639363A

INTERNATIONAL APPLICATION NO.

PCT/US04/28240

I.A. FILING DATE

08/30/2004

PRIORITY DATE

08/29/2003

04743

MARSHALL, GERSTEIN & BORUN LLP  
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RECEIVED

SEP 18 2006

CONFIRMATION NO. 8165

371 FORMALITIES LETTER



\*OC000000020371748\*

Docketed: 11/11/06

Date Mailed: 09/11/2006

MARSHALL GERSTEIN

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/28/2006
- Copy of the International Search Report filed on 02/28/2006
- Biochemical Sequence Diskette filed on 02/28/2006
- Biochemical Sequence Listing filed on 02/28/2006
- Small Entity Statement filed on 02/28/2006
- U.S. Basic National Fees filed on 02/28/2006
- Priority Documents filed on 02/28/2006
- Specification filed on 02/28/2006
- Claims filed on 02/28/2006
- Abstracts filed on 02/28/2006
- Drawings filed on 02/28/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$5030 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$5370** for a Small Entity:

• **\$65 Surcharge.**

- The specification and drawings contain more than 100 pages. Applicant owes **\$125** for 5 pages in excess of 100 pages for a small entity in compliance with 37 CFR 1.27.
- The application search fee has not been paid. Applicant must submit **\$50** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is **\$ 5030**
  - **\$1600** for **16** independent claims over **3**.
  - **\$3250** for **130** total claims over **20**.
  - **\$180** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

04/19/2007 MKAYPAGH 00000144 10570047

VONDA M WALLACE

01 FC:2641	50.00 OP	
02 FC:2633	100.00 OP	
03 FC:2617	65.00 OP	
04 FC:2615	325.00 OP	
05 FC:1206	30.00 OP	PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/570,047	PCT/US04/28240	2963639363A